

DRAFT PROPOSED RULE –
CUMULATIVE PENALTY FOR MULTIPLE VIOLATIONS

Rule 1219-A. In addition to any other penalties prescribed in the rules and regulations adopted by the Commission, any trainer found by ruling of the Stewards, and affirmed by the Commission, to have violated Rule 1233 with respect to a horse in an Arkansas race, on three (3) or more separate occasions within a two (2) year period (determined on the basis of the date the race occurred), involving any category (1, 2, 3, 4 or higher) substance (as defined in Rule 1217), may be suspended by the Stewards or Commission for up to ninety (90) days. If the violation involves a category 1, 2 or 3 substance (as defined in Rule 1217), on three (3) or more such separate occasions within the two (2) year period, the trainer may be suspended by the Stewards or Commission for up to one hundred eighty (180) days, and if the violation involves a category 1 or 2 substance (as defined in Rule 1217), on three (3) or more such separate occasions within the two (2) year period, the trainer may be suspended by the Stewards or Commission for up to one (1) year. In the event the Stewards or Commission find that a series of multiple violations occurring before test results were communicated, or otherwise reasonably available, to the trainer, were caused by the same circumstance, the Stewards or Commission may treat such finding as a single violation, solely for purposes of this rule. This rule shall become effective beginning for violations occurring with respect to horses in races taking place after the effective date of enactment of this rule.